

Attachment to Interview Summary

1. Applicant called to discuss the examiner's comments in the final office action regarding Isakson et al. only being able to function with a heat sensitive layer that softens under the action of microwave energy. Applicant argued that principle of operation of Isakson et al. was changed by the use of a water soluble layer instead of a layer that was heat sensitive. The position of the examiner was that the principle of operation of Isakson et al. is described in col. lines 5-10 of the reference where it states that the invention is a package the automatically vents in a microwave oven. The examiner stated that this principle operation would be the same with the use of a water soluble layer in a food package where steam is generated in a microwave oven, which is the result of the instant combination of references. Applicant also argued that Dyke teaches a water soluble substance only inside of the pores and that there was no motivation to make a film of a water soluble substance. The examiner disagreed in that Dyke teaches both heat sensitive and water soluble compounds in pores, and Isakson et al. teaches a heat sensitive film. As a heat sensitive compound can either be in the pores or as a film, the position of the examiner is that it would have been obvious to one of ordinary skill in the art to use a water soluble compound either directly blocking a hole or pore or in a cover film over an opening.

2. Any inquiry concerning this communication or earlier communications from the examiner should be directed to William P. Watkins III whose telephone number is 571-272-1503. The examiner works an increased flex time schedule, but can normally be

reached Monday through Friday, 11:30 A.M. through 8:00 P.M. Eastern Time. The examiner returns all calls within one business day unless an extended absence is noted on his voice mail greeting.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Sample can be reached on 571-272-1376. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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February 22, 2010

/William P. Watkins III/
Primary Examiner, Art Unit 1794